

## **Outline of Contents**

### **Radioactive Contamination Coverage**

I. MGL c.175, s.102C. Policy against loss or damage to property by radioactive contamination; form; contents; requisites

1. [Who May Issue / Scope](#)
2. [Execution of Policy](#)
3. [Prerequisites to Issuance](#)
4. [Required Language](#)
5. [Applicability of Other Sections](#)

### **Radioactive Contamination Coverage**

**Chapter 175: Section 102C. Policy against loss or damage to property by radioactive contamination; form; contents; requisites**

#### **Who May Issue / Scope**

\_\_\_\_\_ Two (2) or more stock or 2 or more mutual companies authorized to transact business under either the 1<sup>st</sup> or the 5<sup>th</sup> clause of MGL c.175, s.47 (fire / steam boiler) may issue a single policy of insurance against loss or damage to property by radioactive contamination, whether or not such policy also includes insurance against loss or damage to property by 1 or more other perils proper to insure against in this Commonwealth or insurance against loss of use or occupancy, on which each company shall be severally liable for a specified percentage of any loss or claim.

#### **Execution of Policy**

\_\_\_\_\_ The policy may be executed on behalf of the companies by a duly authorized person.

#### **Prerequisites to Issuance**

No such policy shall be issued or delivered:

(a) until a copy of the form thereof has been on file for 30 days with the Commissioner, unless before the expiration of such 30 days she shall have approved the form of the policy in writing;

(b) if the Commissioner notifies the company in writing within said 30 days that in his opinion the form of the policy does not comply with the laws of the Commonwealth, specifying her reasons therefor.

The policy must:

\_\_\_\_\_ have the corporate name of each company affixed thereto; and

\_\_\_\_\_ contain in substance the following language:

**Required Language:**

- \_\_\_\_\_ (1) A provision plainly specifying the percentage of any loss or claim for which each company shall be liable.
- \_\_\_\_\_ (2) A provision that any notice, sworn statement or proof of loss which may be required by the provisions of said policy may be rendered, made or given to any one of the companies or to the agent named in the policy as the duly authorized agent of the companies, and that such notice, sworn statement or proof of loss so rendered, made or given shall be valid and binding as to all of such companies.
- \_\_\_\_\_ (3) A provision that, in any action or suit under the policy, service of process may be made on any one of such companies and that such service shall be deemed valid and binding service upon all of such companies.

**Applicability of Other Sections**

The provisions of chapter 175, sections 76 (fire company membership, annual meetings and voting rights), 80 (fire company dividends and accumulated profits), 81 (fire company premiums and contingent liability), and 83 (fire company assessments) shall apply to policies issued under section 102 C by mutual companies except as provided in this section.

The notice, endorsement and statement required by sections 76, 80 and 81, respectively, shall be in such form and in such place on the policy as the commissioner may prescribe.